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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,195	04/18/2002	William L. Kopko	2709-104	8600

6449 7590 02/07/2003

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EXAMINER

BELENA, JOHN F

ART UNIT	PAPER NUMBER
3746	

DATE MAILED: 02/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/009,195	KOPKO, WILLIAM L.
	Examiner	Art Unit
	John F. Belena, Ph.D.	3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 04/18/2002.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 77-81 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 77 and 79 is/are rejected.
- 7) Claim(s) 78,80 and 81 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 April 2002 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____



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**DETAILED ACTION**

**SPECIFICATION**

1. The disclosure is objected to because of the following minor informality: page 38, line 13, "controller 160" should read --controller 161--. Appropriate correction is required.

**CLAIM REJECTIONS - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 77 & 79** are rejected under 35 U.S.C. 102(b) as being anticipated by (4,667,465) to Munk.

Munk, Figures 1-6, discloses according to applicant's **claim 77**, a supercharged, power-producing gas turbine system, said system comprising: a gas turbine subsystem {(110), (120)} and an electrical generator (150), said gas turbine subsystem {(110), (120)} comprising a compressor (110), a burner (170), and a gas turbine (120), wherein a gas turbine subsystem {(110), (120)} input airstream is compressed by said compressor (110), heated by said burner (170), and expanded through said turbine (120) to cause said turbine (120) to rotate, whereby said turbine (120) drives said generator (150) to generate electrical power; a supercharging subsystem comprising at least one supercharging fan (160) which increases the pressure of said gas turbine subsystem input airstream, whereby power output of said turbine (120) and hence electrical output of said electrical generator (150) may be increased; and at least one fogger {(250), Fig. 2} located upstream of said gas turbine subsystem {(110), (120)} input airstream, is for providing a source of mist to humidify and cool said input airstream before it is inputted to said compressor (110). According to

applicant's **claim 79**, the at least one fogger {(250), Fig. 2} is located between said fan (160) and said compressor (110). See Munk, Figures 1-6, and respective portions, abstract, col. 3 lines 55-68, col. 4 lines 1-46, col. 5 lines 30-35, of the detailed description.

**\*\*The claims were examined with the broadest reasonable interpretation of the claimed structural/functional subject matter. A proper and acceptable response to this office action requires addressing all issues/objections/rejections invoked in this office action.\*\***

## **ALLOWABLE SUBJECT MATTER**

4. **Claims 78, 80 & 81** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

## CONCLUSION

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following selected patents and technical literature is cited to further show the state of the art in supercharged humidified gas turbine systems and related technology in general where the not all obvious salient features of the patents are disclosed as follows:

- US Patent No. 5,622,044 to Bronicki et al. discloses cooling the air before entering the compressor.
- US Patent No. 5,525,268 to Reens discloses a system using fogger nozzles for humidifying an air stream entering a turbine.
- US Patent No. 4,682,471 to Wagner discloses water spray between air compressor and turbine.

**\*\*Please review the above three patents when amending the current claims for they contain structural/functional material that may read on the present claims.\*\***

6. Any inquiry concerning this communication from the examiner should be directed to **John F. Belena, Ph.D.** whose telephone number is (703) 305-3533. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 5:00 PM. The examiner can also be reached on alternate Fridays from 9:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Timothy S. Thorpe**, can be reached on (703) 308-0102. The fax number for this Group Art Unit 3746 is (703) 872-9302. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Art Unit 3746 receptionist whose telephone number is (703) 308-0861.

John F. Belena  
GAU 3746  
2/4/03



CHARLES S. FREAY  
PRIMARY EXAMINER